

## NEW PATENT APPLICATION TRANSMITTAL

Mail Stop Patent Application  
 Commissioner For Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

17497 U.S. PTO  
 10/779342

Sir:

Transmitted herewith for filing is the ☒ Utility ☐ Design patent application of:  
 First named Inventor: Robert A. GATZEN and Donald DRESSLER  
 For: DRUMHEAD TONE CONTROL DEVICE

Enclosed are:

- ☒ 18 Sheets Of Specification
- ☒ 5 Drawing Sheets Containing Figures 1-10 ☐ Formal ☒ Informal
- ☒ A Return Receipt Postcard.
- ☒ An Assignment Of The Invention.
- ☐ A Certified Copy Of A \_\_\_\_\_ Application.
- ☒ A Copy Of Inventor's Declaration ☒ signed ☐ unsigned
- ☐ An Application Data Sheet.
- ☐ A Preliminary Amendment.
- ☐ Other:

☐ If checked, this application is a:

- ☐ Continuation
- ☐ Continuation-in-part
- ☐ Divisional

Application of prior United States Patent Application No.: \_\_\_\_\_ previously examined by  
 \_\_\_\_\_ (Examiner) in Group/Art Unit \_\_\_\_\_.

For Continuation or Divisional Applications: The entire disclosure of the prior application, from which an oath or declaration is supplied, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

☒ If checked, a REQUEST FOR NONPUBLICATION OF APPLICATION UNDER 35 U.S.C.  
 §122(b)(2)(B)(i) is attached:

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on **February 13, 2004** and is addressed to the "Mail Stop Patent Application, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450".

*Darlene Barrett*  
 Darlene Barrett

The filing fee has been calculated as shown below:

☐ Design Application For ☐ Small entity ☐ not Small Entity

☒ Utility Application with fee calculated below:

☐ if checked, Applicant(s) is(are) a small entity.

Basic fee \$770.00

Total claims in excess of 20 5 \$18 \$ 90.00

Independent claims in excess of 3 0 \$86 \$ 0.00

No. multiple dependent claims presented 0 \$ \$0.00

Total claim fees \$ 860.00


☒ A check in the amount of \$860.00 to cover the filing fee is enclosed.

☐ Please charge my Deposit Account No. 16-2563 in the amount of \$\_\_\_\_\_ to cover the filing fee. A duplicate of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge any additional required fees associated with this communication, including filing fees under 37 CFR 1.16, or credit any overpayment to Deposit account No. 16-2563. A Duplicate Copy Of This Sheet Is Enclosed.

☒ The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 required during the pendency of this application and to credit any overpayment to Deposit Account No. 16-2563. A duplicate copy of this sheet is enclosed.

Date: Feb. 13, 2004  
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By   
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Robert A. GATZEN and Donald DRESSLER

Being Filed Herewith.

For: DRUMHEAD TONE CONTROL DEVICE

Mail Stop PATENT APPLICATION

Commissioner for Patents

Washington, DC 20231

**REQUEST FOR NON-PUBLICATION OF APPLICATION  
UNDER 35 U.S.C. § 122(b)  
37 C.F.R. § 1.213(a)**

NOTE: 37 C.F.R. § 1.213(a) states: "If the invention disclosed in an application has not been and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications eighteen (18) months after filing, the application will not be published under 35 U.S.C. § 122(b) and § 1.211 provided:

- (1) A request (non-publication request) is submitted with the application upon filing;
  - (2) The request states in a conspicuous manner that the application is not to be published under 35 U.S.C. § 122(b);
  - (3) The request contains a certification that the invention disclosed in the application has not been and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen (18) months after filing; and
  - (4) The request is signed in compliance with § 1.33(b).
1. This request is being submitted with this application on filing.
  2. It is requested that this application not be published under 35 U.S.C. § 122(b).

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**CERTIFICATION UNDER C.F.R. §§ 1.8(A) AND 1.10**

(When Using Express Mail, The Express Mail Label Number Is Mandatory;  
Express Mail Certification Is Optional.)

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

- ☒ Deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Washington, DC 20231.

**37 C.F.R. § 1.8(a)**

- ☐ With sufficient postage as First Class Mail.

**37 C.F.R. § 1.10**

- ☒ As "Express Mail Post Office to Addressee" Mailing Label No. EL 188551635US (Mandatory)

**FACSIMILE TRANSMISSION**

- ☐ Facsimile Transmission to the U.S. Patent and Trademark Office

DATE: February 13, 2004

Telephone: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

Darlene Barrett

3. This is to certify that the invention disclosed in this application has not been and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen (18) months after filing.

NOTE: 37 C.F.R. 1.33(b): "(b) Amendments and other papers. Amendments and other papers, except for written assertions pursuant to § 1.27(c)(2)(ii) of this part, filed in the application must be signed by:

- (1) A registered attorney or agent of record appointed in compliance with § 1.34(b);
- (2) A registered attorney or agent not of record who acts in a representative capacity under the provisions of § 1.34(a);
- (3) An assignee as provided for under § 3.71(b) of this chapter; or
- (4) All of the applicants (§ 1.41(b)) for patent, unless there is an assignee of the entire interest and such assignee has taken action in the application in accordance with § 3.71 of this chapter.

REGISTRATION NO.: 42,877



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